

ZB# 78-28

SafeKey Mini Warehouse &  
LBL Associates

69-4-6

78-28 - SafeKey Mini-Warehouses, Inc. and LBL Associates

Public Hearing

October 23, 1978

~~8:30~~ 8:15 p.m.

(OCRD involved)

Atty: Daniel J. Bloom, Esq.

# GENERAL RECEIPT

3852

TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, N. Y. 12550

RECEIVED OF Bloom & Bloom Nov. 3 1978  
Fifty and 00/100 \$ 50.00  
FOR 3 BA - Safekey Mini-Warehouses #78-28 DOLLARS

DISTRIBUTION:

FUND	CODE	AMOUNT
50.00		
Check		

BY Charlotte Marcantonio  
Deputy  
TITLE

Williamson Law Book Co., Rochester, N. Y. 14609

MADE IN U.S.A.

69-4-6

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

78-28  
(Number)

10/6/78  
(Date)

I. Applicant information:

- LBL Associates and Safesky Mini-Warehouses, Inc.  
34 Hudson Drive (John C. Bragg General Manager)
- (a) New Windsor, New York (562-5409)  
(Name, address and phone of Applicant)
- (b) None  
(Name, address and phone of purchaser or lessee)  
Daniel J. Bloom & Peter E. Bloom, Esqs.  
Pte. 94, P.O. Box 477
- (c) Vails Gate, N.Y. 12584 - Daniel J. Bloom - Of Counsel  
(Name, address and phone of attorney)
- (d) None  
(Name, address and phone of broker)

II. Application type:

- ☒ Use variance
- ☐ Area variance
- ☐ Sign variance
- ☐ Special permit

III. Property information:

- (a) "C" P.O. Box 597, Pte. 94 62-4-6 10 acres  
(Zone) (Address) (M.B.L.) (Lot size)
- (b) What other zones lie within 500 ft.? same
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? Aug. 25, 1977
- (e) Has property been subdivided previously? No When? \_\_\_\_\_
- (f) Has property been subject of variance or special permit previously? Yes When? May, 1977 (approx.) \*
- (g) Has an order-to-revoke violation been issued against the property by \_\_\_\_\_

10/6/78  
(Date)

## I. Applicant information:

- LBL Associates and Safeky Mini-Warehouses, Inc.  
34 Hudson Drive (John C. Bragg General Manager)
- (a) New Windsor, New York (562-5409)  
(Name, address and phone of Applicant)
- (b) None  
(Name, address and phone of purchaser or lessee)  
Daniel J. Bloom & Peter E. Bloom, Esqs.  
Pte. 94, P.O. Box 477
- (c) Vails Gate, N.Y. 12584 - Daniel J. Bloom - Of Counsel  
(Name, address and phone of attorney)
- (d) None  
(Name, address and phone of broker)

## II. Application type:

- ☒ Use variance
- ☐ Area variance
- ☐ Sign variance
- ☐ Special permit

## III. Property information:

- (a) "C" P.O. Box 597, Pte. 94 62-4-76 10 acres  
(Zone) (Address) (M.B.L.) (Lot size)
- (b) What other zones lie within 500 ft.? same
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? Aug. 25, 1977
- (e) Has property been subdivided previously? No When? \_\_\_\_\_
- (f) Has property been subject of variance or special permit previously? Yes When? May, 1977 (approx.) \*
- (g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? No If so, when \_\_\_\_\_
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail. That portion of premises which fronts on south side of Rt. 94 (1.5 acres) is used as "mini-warehouse" complex with permission of this Board.

\*A prior similar application was made to this Board in March, 1978, and was denied.

IV. Use variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section 48-9, Table "NC" & "C", Column A, to allow

The construction of a "mobile home park" consisting of  
(Describe proposed use)  
27 units in an area presently zoned "C" (Fashion Shopping).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- X(b) The legal standard for a "USE" variance is unusual hardship. Describe why you feel unusual hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.  
Applicant has exhausted search for a use that would be permitted in the zone it is in. Property is unsuited for normal commercial use due to fact that the access off Rt. 94 is only 25 feet in width and almost 700 feet in length; site is low and not at all visible from Rt. 94; property is cut across with a gas main easement and again cut across in a different direction with a sanitary sewer easement both serving the community; property is also cut up with a storm water easement and is supplying the surrounding high ground within Vails Gate with a natural holding pad.

\_\_\_\_\_

☐ V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yard _____	_____	_____
Reqd. Side Yards <u>1</u>	<u>1</u>	<u>1</u>
Reqd. Rear Yard _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Development Coverage* <u>5</u>	<u>5</u>	<u>5</u>
Floor Area Ratio** _____	_____	_____

\* Residential districts only  
\*\* Non-residential districts only

27 units in an area presently zoned "C" (Design Shopping).

- X (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application. Applicant has exhausted search for a use that would be permitted in the zone it is in. Property is unsuited for normal commercial use due to fact that the access off Rt. 94 is only 25 feet in width and almost 700 feet in length; site is low and not at all visible from Rt. 94; property is cut across with a gas main easement and again cut across in a different direction with a sanitary sewer easement both serving the community; property is also cut up with a storm water easement and is supplying the surrounding high ground within Vails Gate with a natural holding pad.



V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yard		
Reqd. Side Yards		
Reqd. Rear Yard		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Development Coverage* %	%	%
Floor Area Ratio**		

\* Residential districts only

\*\* Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you have made to alleviate the difficulty other than this application.

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VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
<hr/>			
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

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- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

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\_\_\_\_\_

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\_\_\_\_\_



VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

\_\_\_\_\_

☐ VII. Special Permit:

- (a) Special permit requested under New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_.
- (b) Describe in detail the use and structures proposed for the special permit.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☒ VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
1. The hardships referred-to hereinabove at IV(b) become advantages to use this as a mobile home park.
  2. The sanitary sewer line through the property can be utilized by the home sites.
  3. The water mains available can be extended to each home site and water for fire protection will be available.
  4. Ample wooded area makes a natural setting for mobile homes and the fact that there is no visibility from any road or abutting site will both make it pleasant for the occupants as well as not detracting from the neighborhood-for it will not be visible from Rte. 94.
  5. Applicant has close professional management available through resident manager living at its site on Rte. 94 already managing the Safeky Mini Warehouse operation at the site.
  6. Establish and enforce strict rules and regulations for the mobile home park.

☐ IX.

- Attachments required:
- \_\_\_ Copy of letter of referral from Building and Zoning Inspector.
  - \_\_\_ Copy of contract of sale, lease or franchise agreement.
  - \_\_\_ Copy of tax map showing adjacent properties
  - ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
  - \_\_\_ Copy(ies) of sign(s) with dimensions.
  - ☒ Check in amount of \$ 50.00 payable to Town of New Windsor.

- (b) Describe in detail the use and structures proposed for the special permit.

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☒ VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
1. The hardships referred to hereinabove at IV(b) become advantages to use this as a mobile home park.
  2. The sanitary sewer line through the property can be utilized by the home sites.
  3. The water mains available can be extended to each home site and water for fire protection will be available.
  4. Ample wooded area makes a natural setting for mobile homes and the fact that there is no visibility from any road or abutting site will both make it pleasant for the occupants as well as not detracting from the neighborhood-for it will not be visible from Rta. 94.
  5. Applicant has close professional management available through resident manager living at its site on Rta. 94 already managing the Safeky Mini Warehouse operation at the site.
  6. Establish and enforce strict rules and regulations for the mobile home park.
- ☐ IX. Attachments required:

\_\_\_ Copy of letter of referral from Building and Zoning Inspector.

\_\_\_ Copy of contract of sale, lease or franchise agreement.

\_\_\_ Copy of tax map showing adjacent properties

☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.

\_\_\_ Copy(ies) of sign(s) with dimensions.

☒ Check in amount of \$ 50.00 payable to Town of New Windsor.

Photos of existing premises which show all present signs and landscaping.

All photos must be 8" x 10" or be mounted on 8 1/2" x 11" paper.

☒ Other Plot Plan for proposed mobile home park dated June 24, 1977, prepared by Trachte Metal Bldgs. Co.

X. AFFIDAVIT.

STATE OF NEW YORK )  
 ) SS.:  
COUNTY OF ORANGE )

LBL ASSOCIATES & SAFEKY MINI-  
WAREHOUSES, INC.

BY:

(Applicant)

Jack Bragg (General Agent)

Sworn to before me this

64 day of October , 1978.

Notary Public

FIFTY B. MANS

Notary Public, State of New York

Residing in Grange County

XI. ZBA Action:

- (a) Public Hearing date October 23, 1978 (8:15 p.m.)
- (b) Variance is \_\_\_\_\_
- (c) Special Permit is \_\_\_\_\_
- (d) Conditions and safeguards

A FORMAL DECISION WILL FOLLOW WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE )

The Undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

LBL ASSOCIATES & SAFEKY MINI-WAREHOUSES, INC.

BY:

Jack Bragg  
(Applicant)  
Jack Bragg (General Agent)

Sworn to before me this

6th day of October, 1978.

Betty B. Mans  
Notary Public

BETTY B. MANS  
Notary Public, State of New York  
Residing in Orange County  
Commission Expires March 30, 1980

XI. ZBA Action:

(a) Public Hearing date October 23, 1978 (8:15 p.m.)

(b) Variance is \_\_\_\_\_

(c) Special Permit is \_\_\_\_\_

(d) Conditions and safeguards \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A FORMAL DECISION WILL FOLLOW  
WHICH WILL BE ADOPTED BY RESO-  
LUTION OF ZONING BOARD OF APPEALS.

78-28

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

-----X  
In the Matter of the Application of

LBL ASSOCIATES and SAFEKEY MINI-WAREHOUSES, INC.

DECISION DENYING  
USE VARIANCE

#78-4.  
-----X

WHEREAS, LBL ASSOCIATES and SAFEKEY MINI-WAREHOUSES, INC., Safekey being a corporation having an office at 34 Hudson Drive, Town of New Windsor, New York, by its General Manager, John C. Bragg, have applied to the Zoning Board of Appeals for a use variance to permit construction of a mobile home park consisting of 27 units in an area presently zoned "C" (Design Shopping), located off Route 94, in the Town of New Windsor, N.Y.; and

WHEREAS, a public hearing was held on the 27th day of February, 1978 at which time John C. Bragg and Paul Lindau appeared on behalf of the applicant corporation together with Daniel J. Bloom, Esq., attorney for the applicant; and

WHEREAS, notice of public hearing was duly sent to residences and businesses as prescribed by law, and published in The Evening News, also required by law; and

WHEREAS, their appearing to be no opposition to the application before the board from neighboring property owners; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter;

1. At the time the applicants' purchased the property in question they were aware that the use sought by the instant application was prohibited by the applicable ordinances of the Town of New Windsor.

2. That the applicant did not show that the return from the property would not be reasonable for each and every use permitted under the Zoning Ordinance.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following findings of law in this matter:

1. The board does not reach the question of whether applicants' plight is due to unique circumstances and not to general neighborhood conditions, or the question of whether the use sought to be authorized by the variance will alter the essential character of the locality because of its finding that the applicant failed to show that a reasonable return from the property could not be had from each and every permitted use.

NOW THEREFORE BE IT RESOLVED that the Zoning Board of Appeals of the Town of New Windsor denies a use variance as requested in the application.

BE IT FURTHER RESOLVED that the Secretary of the Zoning Board of Appeals is directed to forward a copy of this decision to the applicant, the Town Planning Board and the Town Clerk.

Dated: March 13, 1978.

*s/ Richard Fernwick*  
~~VINCENT DEVONA, Vice~~ Chairman  
*Acting*

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

-----X  
In the Matter of the Application of  
SAFEKEY MINI-WAREHOUSES, INC. and LBL  
ASSOCIATES.

DECISION GRANTING  
USE VARIANCE

Application #78-28  
-----X

WHEREAS, SAFEKEY MINI-WAREHOUSES, INC. and LBL ASSOCIATES,  
located at 34 Hudson Drive, Town of New Windsor, New York, have made  
application for a use variance to permit construction of a mobile home  
park consisting of 27 units in an area presently zoned "C" (Design  
Shopping) on Route 94 in said Town of New Windsor; and

WHEREAS, a public hearing was held on the 23rd day of  
October, 1978 before the Zoning Board of Appeals at the Town Hall,  
New Windsor, New York; and

WHEREAS, the applicants were represented by Daniel J. Bloom,  
Esq. of Bloom & Bloom, P. O. Box 477, Vails Gate, New York 12584; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New  
Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents  
and businesses as prescribed by law and published in The Evening News,  
also as required by law.

2. The evidence shows that applicants have exhausted search  
for a use that would be permitted in the zone within which it is located.

3. There was sufficient evidence to show that the plight of  
the applicants was due to unique circumstances and not to general conditions  
suffered by other persons within the zone.

4. The evidence shows that the property is unsuited for normal commercial use due to the fact that the access off Rt. 94 is only 25 ft. in width and almost 700 ft. in length; site is low and not at all visible from Rt. 94; property is cut across with a gas main easement and again cut across in a different direction with a sanitary sewer easement both serving the Town of New Windsor; property is also cut up with a storm water easement and is supplying the surrounding high ground within Vails Gate with a natural holding pad.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of law in this matter:

1. The land will not yield a reasonable return as it is presently zoned.

2. The hardship of the applicant has been shown to be due to unique circumstances and not to general conditions.

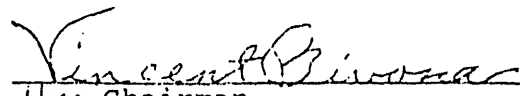
3. The application does not alter the essential character of the neighborhood.

4. The application before the board does not rewrite the Zoning Law.

5. The evidence shows that this is not a self-created hardship.

NOW, THEREFORE, BE IT RESOLVED that the Zoning Board of Appeals of the Town of New Windsor grant a use variance as applied for by SAFEKEY MINI-WAREHOUSES, INC.

BE IT FURTHER RESOLVED that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and attorney for the applicants.  
Dated: January 22, 1979.

  
Vice Chairman

20A  
Safekey

(914) 565-8550

April 24, 1979

Daniel J. Bloom, Esq.  
Bloom & Bloom  
P. O. Box 477  
Vails Gate, N. Y. 12584

RE: APPLICATION OF SAFEKEY MINI-WAREHOUSES, INC.

Dear Dan:

I have reviewed your client's last rehearing application for a mobile home complex pursuant to our recent telephone conversation. As you will see from the enclosed copy, you did not apply for a special permit.

It doesn't appear that I can amend the decision to grant a special permit under the circumstances.

If you have any questions, please give me a call.

Very truly yours,

ANDREW S. KRIEGER  
Attorney for the ZBA

ASK:pd

Enclosure

file

INTER-OFFICE CORRESPONDENCE

TO: ZONING BOARD OF APPEALS MEMBERS  
FROM: ATTORNEY FOR THE BOARD KRIEGER  
SUBJECT: CORRESPONDENCE FROM BERNARD J. SOMMERS, ESQ.  
OLYMPIA/LFASE APPLICATION  
DATE: March 12, 1979

Attached hereto is a copy of correspondence received from Bernard J. Sommers, Esq. dated March 2, 1979 in connection with the above-entitled application.

Mr. Sommers appears to be correct to the extent that the Town Code provision for re-hearing does not apply in this case. Therefore, State Law (TownLaw Section 267 (6)) applies.

The Board may vote to hold a re-hearing on motion of any board member. The motion must be carried by unanimous vote of all members present but not less than 4 votes.

Re-hearing must be conducted with the same notice and other rules of a regular hearing. At the re-hearing the board may reverse, modify or annul its original determination but that must be done by unanimous vote of all present and not less than 4 votes.

I recommend that if the board should vote for a re-hearing, a re-hearing be held on all portions of the original application including those portions previously granted.

With respect to the interpretation of the 200 ft. ruling, that should be done at a public hearing, i.e. the same public hearing if a re-hearing is granted.

It also appears that, based on the last application, additional variance permits will be needed on the canopies for the pumps (e.g. height and setback).

Andy

ASK:pd

Attachments

*Order for 20th agenda 3/12/79*

MAR 05 1979

MCCANN, AHERN & SOMMERS, P. C.

ATTORNEYS AND COUNSELLORS AT LAW

347 FULLERTON AVENUE

P. O. Box 2335

NEWBURGH, NEW YORK 12550

914-561-9400

DONALD H. McCANN  
DANIEL F. AHERN, JR. (1973)  
BERNARD J. SOMMERS  
GEORGE F. ROESCH III  
JOSEPH A. CATANIA, JR.

MIDDLETOWN OFFICE  
20 ROBERT STREET  
914-343-7272

March 2, 1979

Mr. Vincent Bivona  
Vice-Chairman of Zoning Board of Appeals  
555 Union Avenue  
New Windsor, New York 12550

Re: In the Matter of the Application of  
Peter M. Olympia & John J. Lease, Jr.  
Application No. 79-1

Dear Mr. Bivona:

I have received a copy of the Board's decision, dated February 26, 1979, wherein the use variance was granted, the area variance for signs was granted, and the special permits for three self-service gasoline pumps was denied. The vote denying the special permits at the meeting on January 22nd, 1979, was 3 in favor and 3 opposed.

In reading Section 48-34.I., it appears to me that where an application is denied by a vote of at least 4 members of the Board, an applicant is not eligible for reconsideration or rehearing for a six month period except if a new application is based upon new facts.

My clients have redesigned the proposed site so as to relocate the three self-service gas pumps. The pumps have been removed from the front of the property closest to Route 9W.

Since the denial of our special permits was by less than 4 votes, would you please advise as to whether we can immediately come before the Board for a reconsideration of the application for special permits. At the same time, I am wondering whether there is a necessity to obtain a variance of the 200 foot requirement from the church since the pumps are actually much further removed from the church itself.

MCCANN, AHERN & SOMMERS, P. C.

Mr. Vincent Bivona

-2-

March 2, 1979

I would appreciate your response as soon as possible  
so that we might act accordingly.

Very truly yours,

  
BERNARD J. SOMMERS

BJS:gm

cc: Mr. John J. Lease, Jr.

INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD  
HOWARD COLLETT, BLDG./ZONING INSPECTOR

FROM: SECRETARY - ZONING BOARD OF APPEALS

SUBJECT: PUBLIC HEARINGS - OCTOBER 23, 1978  
(1) LOWY/NEW WINDSOR ASSOCIATES  
(2) SAFEKEY MINI-WAREHOUSES INC. and  
LBL ASSOCIATES

DATE: October 25, 1978

Kindly be advised that the applications for use variances of LOWY/NEW WINDSOR ASSOCIATES and SAFEKEY MINI-WAREHOUSES INC. and LBL ASSOCIATES were granted by the New Windsor Zoning Board of Appeals at its regular meeting held on Monday evening, October 23, 1978.

Pat

/pd

(914) 565-8550

October 27, 1978

Daniel J. Bloom, Esq.  
Bloom & Bloom  
P. O. Box 477  
Vails Gate, N. Y. 12584

RE: APPLICATION FOR VARIANCE OF SAFEKEY MINI-WAREHOUSES,  
INC. and LBL ASSOCIATES  
USE VARIANCE - #78-28

Dear Dan:

This is to confirm that the above application for a use variance before the New Windsor Zoning Board of Appeals was approved by a unanimous vote at the public hearing held on October 23, 1978.

A formal decision will be drafted by the Attorney for the Board and acted upon at an upcoming ZBA meeting. I will furnish same when it is available.

Very truly yours,

PATRICIA DELOO, Secretary  
New Windsor Zoning Board of Appeals

/pd

cc: Howard Collett - Bldg./Zoning Inspector  
Town Planning Board

We believe it important that you know just what you may expect from us and what we expect of you. This makes certain rules necessary in order to keep our park a nicer place to live.

1. Rates as of October 1, 1975, \$60.00 per month.  
\$2.00 per month for third person, plus  
\$1.00 per month for each additional person.  
\$2.00 per month for automatic washer.  
Rates subject to change with 30 days notice. All rent is to be paid by the 1st of each month. There will be a fee of \$1.00 if the rent is paid on the 2nd, \$3.00 the 3rd, \$6.00 the 4th and rent will not be accepted after 12:00 A.M. the 4th, unless arrangements have been made with the management.
2. A \$60.00 lot deposit to be held by management until mobile home is moved.
3. NO PETS OF ANY KIND.
4. Renting or Subleasing your home is Not Permitted. Your mobile home cannot be sold or displayed in the park. If you desire to sell, you must move the home.
5. SPEED LIMIT 5-10 M.P.H. Each tenant has a driveway. Absolutely no parking on the street. Visitors must park in your driveway when space is available; if not, they may park on SOUTH or EAST side of street only.
6. Each tenant is responsible for the upkeep of his own yard. No rubbish of any nature permitted. Mow and clip your lawn as needed. Arrange to have it maintained when needed, otherwise, there will be a \$10.00 mowing charge. Keep equipment and toys out of view when not in use.
7. Umbrella-type Clotheslines are permitted, if they are kept back away from view. These must be folded down when not in use.
8. All homes must be skirted within 30 days after moving in. Uniform skirting must be used. Check with management.
9. Cabanas or enclosures must be factory built and must be approved by management before construction. Absolutely no fencing of any kind.
10. No excess noise after 10:00 P.M.
11. Children belong in their OWN YARD unless special permission is given by other tenants. The street IS NOT a play area. Two-wheeled bicycles only in street.
12. Please help protect all trees, shrubbery and flowers. Any trees and shrubbery planted cannot be removed from premises when you move.
13. Tenants furnish their own 20 or 30 Gal. Galv. garbage can. One can to a home; picked up twice a week. An additional can will cost \$1.00 a month more. Keep all garbage cans back from view. Absolutely no burning.
14. No mechanical work to be done on car on lots. You may wash your car with pail only.
15. You must have a storage building and it must be approved by management.
16. When the management has a message for you a note will be placed on your door.
17. Boats, campers, and motorhomes permitted on your lot day before and day after departure only. STORAGE OF SUCH IS NOT permitted on your mobilehome lot. Storage available on slab at following rates per month: \$4, motor homes; \$3, campers, boats, and extra cars.
18. Management assume no responsibility for water pipes, or sewer connections above the ground; leaking faucets and toilets will freeze sewer lines.
19. Your light and mail box is your responsibility; replace bulb as needed with 100 watt bulb. The letter and lot numbers must be obtained from the management, .15 each.
20. No excessive riding of motorcycles.

10/23/78 Safetey - Mini Warehouses Inc - 8:15 p.m.

<u>Name</u>	<u>Address</u>
Bernice Bragg	34 Hudson dr.
Lyndy Sperry	33 Hudson Dr.
Alvie W. Rainey	72 Birchwood Dr

Dear Members: Mark is in the hospital. He had a heart attack. From the information I have gathered, he is doing pretty well considering the circumstances.

Pat

ZONING BOARD OF APPEALS

October 23, 1978 - 7:30 meeting

AGENDA:

7:30 p.m. - ROLL CALL

Motion to accept the September 25, 1978 minutes as written.

PRELIMINARY MEETINGS:

1. ROBERT PLUMSTEAD - Proposal for a business office use on property located on Union Avenue across from Town Hall - Clark Estate. R-4 zone.
2. RAY MUNGO - Request to use residence on Route 94 as professional offices.
3. MRS. ANDERSON - Proposal for a nursery school on rented property located on Route 207 adjacent to Dealer's Choice.

PUBLIC HEARINGS:

8 p.m. - In the Matter of the Application of HOWARD LOWY/NEW WINDSOR ASSOCIATES to establish a roller skating rink on Route 94 in A & P building. NC zone - not permitted use.

8:15 p.m. - In the Matter of the Application of SAFEKEY MINI-WAREHOUSES INC. and LBL ASSOCIATES for mobile home park to be located on Route 94 - Town of New Windsor.

Motions to accept formal decisions:

- (1) Townsend/Husted
- (2) Maher, Dennis
- (3) Czarnecki, Adelbert
- (4) Scheer, Carlos
- (5) Lundstrom, Dagny

Discussion period.

Adjournment.

Pat  
565-8550 - office  
56 2-7107 - Home



OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

LIST OF SURROUNDING PROPERTY OWNERS

Chairman  
~~XXXXXXXXXX~~  
555 Union Avenue  
New Windsor, New York 12550  
(914) 565-8808

1763

New York State Thruway Authority  
Albany, New York 12223

Hopkins, George M. & Edna  
✓ Box 31  
Vails Gate, N.Y. 12584

Terwilliger, Helen  
✓ Box 73  
Vails Gate, N.Y. 12584

Consolidated Rail Corp.  
Tax Dept. room 1310  
✓ 6 Penn Center Plaza  
Philadelphia, Pa. 19104

Walsky, Harold; Duarte, Graciano B.  
✓ 554 Chestnut Ridge Road  
Woodcliff Lake, N.J. 07675

Bergknoff, Irwin  
Route 32  
Highland Mills, N.Y. 10930

Ettinger, Howard W. & Sarah P.  
Box 64  
✓ Vails Gate, N.Y. 12584

VGR Associates  
✓ P.O. Box 334  
Lenox Hill Station  
N.Y. N.Y. 10021

Bruyn, Charles D. & Frances E.  
✓ Box 303  
Vails Gate, N.Y. 12584

GAF Corporation  
✓ 1361 Alps Road  
Wayne, N.J. 07470

Worrad, Faith G. & Lewis H. Jr.  
28 Park Avenue  
✓ Ossining, N.Y. 10562

DiMiceli, Anthony & Vincenza  
Box 283  
✓ Vails Gate, N.Y. 12584

Academy Terminal Corp.  
90 Main Street  
✓ Highland Falls, N.Y. 10928

Bernhardt, Coleen & Robert G.  
✓ Box 407  
Vails Gate, N.Y. 12584

Boneri, Concetta  
✓ Vails Gate, N.Y. 12584

Simonson Richard & Helen  
✓ Vails Gate, N.Y. 12584

Brewer, Ella  
✓ Box 527  
Vails Gate, N.Y. 12584

Brewer, Wilbur  
✓ Vails Gate, N.Y. 12584

Ernst, Jerome & Pearl  
✓ P.O. Box 212  
Monroe, N.Y. 10950

Brewer, Walter  
✓ Vails Gate, N.Y. 12584

McMillan, Mary  
C/O Mrs. James Deyo  
✓ P.O. Box 293  
Vails Gate, N.Y. 12584

Brewer, Russell R. Sr.  
✓ Box 103  
Vails Gate, N.Y. 12584

Brewer, Helen, Ida Mae, Michael  
✓ Vails Gate, N.Y. 12584



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman

~~Phonix XXXXXX~~  
555 Union Avenue

New Windsor, New York 12550

(914) 565-8808

Deyo, Beatrice & James  
Scherf, Vails Gate, N.Y. 12584

Central Hudson Gas & Electric  
284 South Road  
Poughkeepsie, N.Y. 12601

Pushman, Albert & William  
Box 158  
Vails Gate, N.Y. 12584

Pushman, Albert & Josephine  
Vails Gate, N.Y. 12584

Pushman, William J. & Marion  
Route 32  
Vails Gate, N.Y. 12584

Carione, John & Louise  
33-335 Blooming Grove Tpke.  
New Windsor, N.Y. 12550

Dahlin, Raymond & Jean M.  
Box 508  
Vails Gate, N.Y. 12584

Slepoy, Herbert & Gardner, Fred  
881 Knota Road  
Woodmere, N.Y. 11598

Very truly yours,

A handwritten signature in cursive script, appearing to read 'Paula King'.

PAULA KING  
Sole Assessor  
Town of New Windsor

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

LAW OFFICES

**Daniel J. Bloom**

**Peter F. Bloom**

October 6, 1978

ROUTE 94 POST OFFICE BOX 477

(AT THE PROFESSIONAL CIRCLE)

VALES GATE, NEW YORK 12584

TELEPHONE (914) 561-6920

RE: Application of LBL Associates and Safeky Mini-Warehouses, Inc.  
For a Variance to Operate a "Mobile Home Park" (Our File 3325)

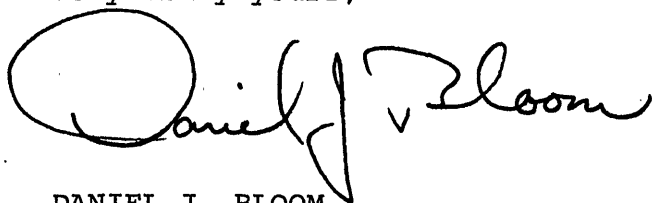
Dear Property Owners:

Pursuant to statutory regulations and relevant Zoning Ordinances of the Town of New Windsor, we enclose herewith a copy of the Public Notice of Hearing before the Zoning Board of Appeals of the Town of New Windsor, to be held in the above matter at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York, on October 23, 1978, at 8:15 p.m., at which time our clients, Safeky Mini-Warehouses, Inc., and LBL Associates will request a variance to conduct a "Mobile Home Park" on the premises presently owned by them and more particularly described in the Notice enclosed herewith.

While your presence is not mandated at the aforesaid meeting, you should feel perfectly free to attend and express your personal feelings concerning the same and raise any questions that you may have in the premises.

Thank you.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Daniel J. Bloom". The signature is written in dark ink and is positioned above the typed name.

DANIEL J. BLOOM

DJB/cal

Enc.

STATE OF NEW YORK )

COUNTY OF ORANGE ) : ss.:

AFFIDAVIT OF SERVICE BY MAIL

MARY KRAUS, being duly sworn, deposes and says:

I am not a party to the action, am over 18 years of age and reside at Stormville, New York.

I served a true copy of the Notice of Public Hearing in the matter of SAFEKY MINI-WAREHOUSES, INC., to the individuals named in the annexed list of surrounding property owners at the addresses set forth therein via Certified Mail, Return-Receipt Requested, by mailing the same in a sealed envelope, with postage prepaid thereon, in a post-office of the U.S. Postal Service within the State of New York, on the 6th day of October, 1978.

Mary Kraus

Mary Kraus

Sworn to before me this

6th day of October, 1978.

Carol A. Lynn

Notary Public

CAROL A. LYNN  
Notary Public, State of New York  
Residing in Orange County  
Commission Expires March 30, 1980

LAW OFFICES

Daniel J. Bloom  
Peter F. Bloom

ROUTE 94 POST OFFICE BOX 477  
VAILS GATE, NEW YORK 12584

PUBLIC NOTICE OF HEARING BEFORE  
ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE, that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-33A of the Zoning Ordinance on the following proposition:

Appeal No. 28

Request of LBL ASSOCIATES and SAFEKY MINI-WAREHOUSES, INC., for a VARIANCE of the regulations of the Zoning Ordinance to permit the construction of a "mobile home park" consisting of 27 units in an area presently zoned "C" (Design Shopping) being a VARIANCE of Sections 48-8, 48-9 and 48-10 of Article III for property situated as follows: Tax Map Section 69, Lot 4, Block 6, 640 feet South of New York State Route 94; bounded on North by SAFEKY MINI-WAREHOUSES, INC. (LBL ASSOCIATES); bounded on South by Cornwall-New Windsor town line; bounded on West by Palumbo; bounded on East by Central Hudson Gas & Electric Corp., and Academy Terminal Corp.

SAID HEARING will take place on the 23rd day of October, 1978, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York, beginning at 8:15 o'clock p.m.

LAW OFFICES  
Daniel J. Bloom  
Peter F. Bloom  
ROUTE 94 POST OFFICE BOX 477  
VAIL GATE, NEW YORK 12584

Mark Stortecky  
Chairman

LAW OFFICES  
**Daniel J. Bloom**  
**Peter F. Bloom**

OCT 10 1978

October 6, 1978

ROUTE 94 POST OFFICE BOX 477  
(AT THE PROFESSIONAL CIRCLE)  
VAILS GATE, NEW YORK 12584  
TELEPHONE (914) 561-6920

Mrs. Patricia Razansky, Secretary  
New Windsor Zoning Board of Appeals  
555 Union Avenue  
New Windsor, New York 12550

RE: Application of Safeky Mini-Warehouses, Inc. and  
LBL Associates for Class "C" Zoning Variance  
Appeal No. 78-28 (Our File No. 3325)

Dear Mrs. Razansky:

Enclosed herewith please find three fully executed Applications for Variance in the above matter duly acknowledged on October 6, 1978, together with our check No. 9004(6) in the amount of \$50.00 payable to the order of the Town of New Windsor to cover the subject application fee.

I also enclose herewith Public Notice of Hearing and Assessor's List of Surrounding Property Owners.

It is my understanding that this matter will be heard before a public meeting of the Zoning Board of Appeals at the New Windsor Town Hall on October 23, 1978, at 8:15 p.m.

Thank you.

Very truly yours,

  
DANIEL J. BLOOM

DJB/cal  
Enc.

cc: Safeky Mini-Warehouses, Inc.  
34 Hudson Drive  
New Windsor, NY 12550  
Attn: Mr. John C. Bragg

PUBLIC NOTICE OF HEARING BEFORE  
ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR

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SAID HEARING will take place on the 23rd day of October, 1978, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York, beginning at 8:15 o'clock p.m.

LAW OFFICES  
Daniel J. Bloom  
Peter E. Bloom  
RTE 94 POST OFFICE BOX 477  
MILLS GATE, NEW YORK 12584

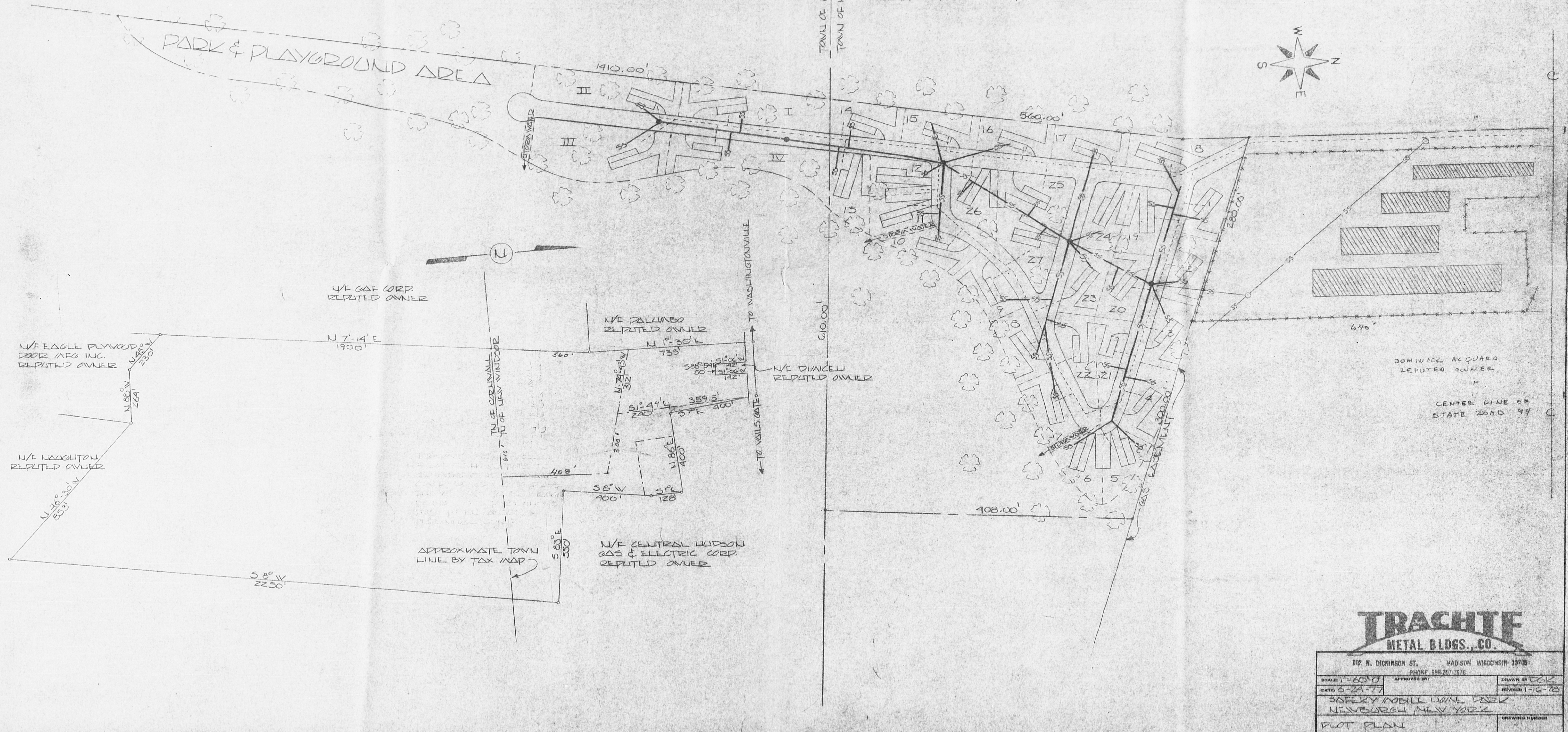
Mark Stortecky  
Chairman

THIS SITE WILL BE DESIGN TO MEET  
RESTRICTIONS - TOWN OF CORNUALL

- ZONING - M-2.
- AT LEAST 10,000 SQ FT PER SITE.
- PROVIDE 10' X 18' TERRACE
- PROVIDE TENANT STORAGE OF AT LEAST 90 CUBIC FEET.
- ALL MOBILE HOMES MUST BE AT LEAST 50' FROM PROPERTY LINES
- ALL MOBILE HOMES MUST BE AT LEAST 30' APART.
- PROVIDE RECREATION AREA WHICH IS AT LEAST 10% OF TOTAL SITE

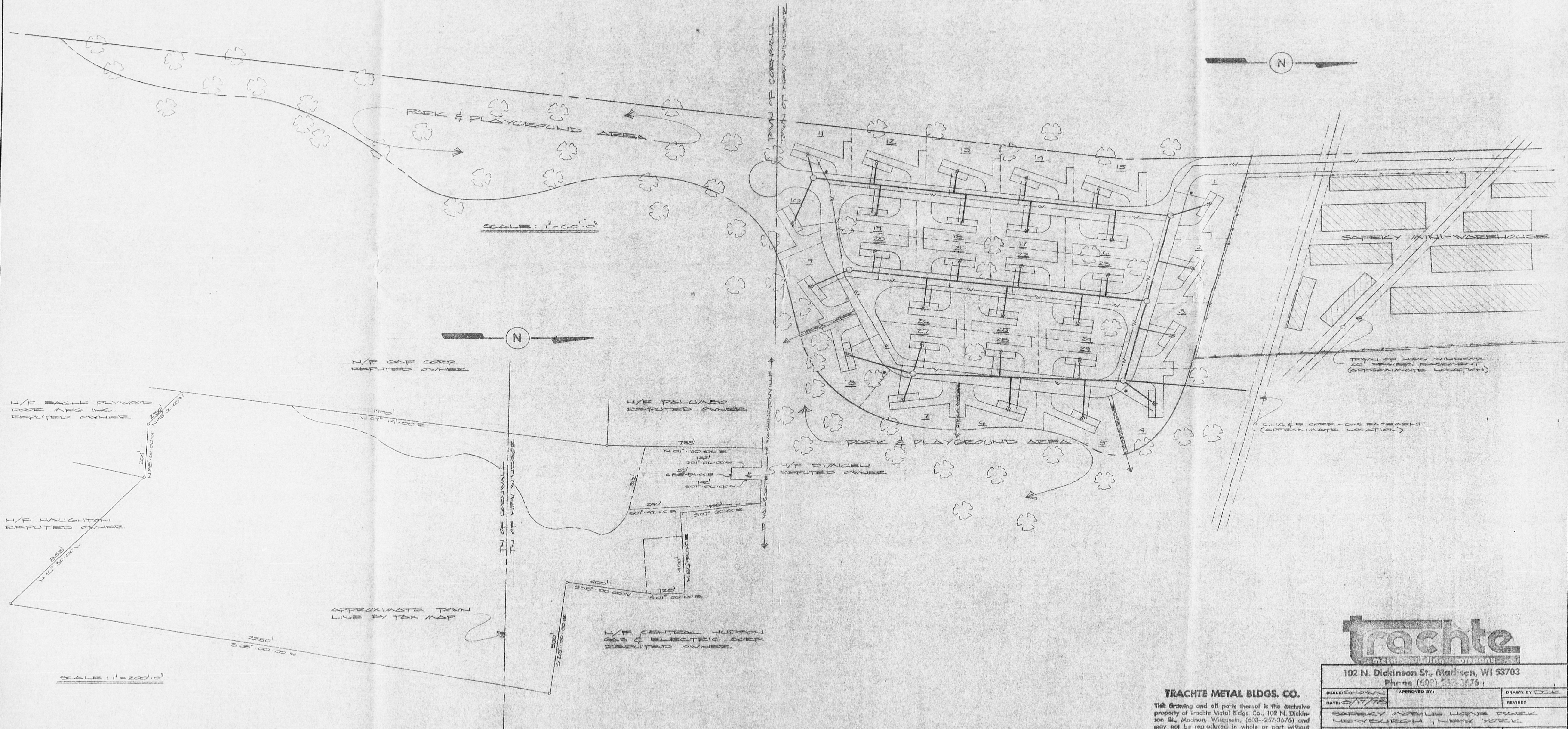
THIS SITE WILL BE DESIGNED TO MEET  
RESTRICTIONS - TOWN OF NEW WINDSOR

- ZONING - C.
- MOBILE HOME SITE SHALL CONTAIN AT LEAST 10 ACRES
- AT LEAST 5,000 SQ FT PER SITE
- PROVIDE 10' X 45' SLAB WITH TIE-DOWN ANCHORS
- ALL MOBILE HOMES MUST BE AT LEAST 30' FROM PROPERTY LINES
- ALL MOBILE HOMES MUST BE AT LEAST 30' APART.
- ALL MOBILE HOMES MUST BE AT LEAST 20' FROM ROADWAY
- PROVIDE RECREATION AREA OF AT LEAST 10,000 SQ FT.



THIS SITE SHALL BE DESIGNED TO MEET  
TOWN OF NEW WINDSOR RESTRICTIONS.

- 1. ZONING 'C' VARIANCE APPROVED BY
- 2. ZONING BOARD OF APPEALS.
- 3. APPLICABLE SITE SHALL CONTAIN
- 4. AT LEAST 10 TREES
- 5. AT LEAST 5000 SQ. FT.
- 6. PROVIDE 2 10' X 45' SLAB WITH TIE BEAMS
- 7. PROVIDE PATIO AREA
- 8. PROVIDE 2 TRAIL-SEED PARKING
- 9. STALLS PER LOT
- 10. PROVIDE RECREATION AREA
- 11. PER AT LEAST 10,000 SQ. FT.
- 12. ALL MOBILE HOMES MUST BE AT
- 13. LEAST 50 FEET FROM PROPERTY LINE
- 14. ALL MOBILE HOMES MUST BE AT
- 15. LEAST 50' APART.
- 16. ALL MOBILE HOMES MUST BE AT
- 17. LEAST 50 FEET FROM ROADWAY



102 N. Dickinson St., Madison, WI 53703  
Phone (608) 257-3676

### TRACHTE METAL BLDGS. CO.

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SCALE: 1"=200'	DATE: 5/17/78	APPROVED BY: [Signature]	DRAWN BY: DGE
			REVISED
			SAFETY MOBILE HOME PARK
			NEW WINDSOR, NEW YORK
SITE PLAN			DRAWING NUMBER